

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

REPUBLICAN NATIONAL COMMITTEE,  
et al.,

Plaintiffs,

v.

JOCELYN BENSON, et al.,

Defendants.

Case No. 1:24-cv-262

HON. JANE M. BECKERING

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**ORDER**

Defendants filed a Motion to Dismiss (ECF No. 18), arguing that Plaintiffs have failed to allege sufficient facts to support one or more of the claims in the Complaint. If true, the claim or claims would be defective under the Supreme Court’s plausibility standard. *See Ashcroft v. Iqbal*, 556 U.S. 662 (2009), and *Bell Atl. Corp. v. Twombly*, 550 U.S. 544 (2007). Without expressing any view as to the merits of the motion, the Court will afford Plaintiffs the opportunity to cure the allegedly inadequate pleading by granting Plaintiffs leave to file an amended complaint, as allowed by Rule 15(a)(1)(B) of the Federal Rules of Civil Procedure. Any amended complaint must plead sufficient factual allegations that, if true, would “plausibly give rise to an entitlement to relief.” *Iqbal*, 556 U.S. at 680. If Plaintiffs timely file an amended complaint, then the Court will deny the motion to dismiss as moot. If Plaintiffs do not timely file an amended complaint, then Plaintiffs must file a response to the motion to dismiss, and the Court will decide the motion.

Accordingly:

**IT IS HEREBY ORDERED** that Plaintiffs must file either (a) an amended complaint within 21 days after service of the motion to dismiss, FED. R. CIV. P. 15(a)(1)(B); or (b) a response to the motion to dismiss within 28 days after service of the motion to dismiss, W.D. Mich. LCivR 7.2(c).

Dated: April 16, 2024

/s/ Jane M. Beckering  
JANE M. BECKERING  
United States District Judge